

04-09-01

A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

Attorney Docket No. 35867-150907

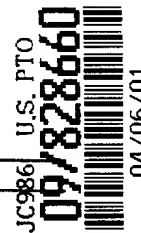
Anticipated Classification of this application:

Class \_\_\_\_\_ Subclass \_\_\_\_\_

Prior application:

Examiner: G. Nguyen

Art Unit: 3723



Box Patent Application  
Commissioner of Patents  
Washington, D.C. 20231

CONTINUING APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)

This is a request for filing under the continuing application procedure, 37 CFR 1.53(b), for a

☐ Continuation

☒ Divisional

☐ Continuation-in-part

application.

Particulars of Prior Application

A. Application Serial No. 09/428,726, filed October 28, 1999.

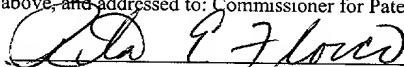
B. Title "Method of and Apparatus for High Tolerance Brush Honing".

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.10

EXPRESS MAIL Mailing Label Number: EL 740190307 US

Date of Deposit: April 6, 2001

I hereby certify that this correspondence, along with any paper referred to as being attached or enclosed, and/or fee, is being deposited with the United States Postal Service, "EXPRESS MAIL - POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10, on the date indicated above, and addressed to: Commissioner for Patents, Washington, D.C. 20231.

  
Signature of person mailing paper

Rita E. Flocco

Type or print name of person

## 1. Copy of Application

The copy of the papers of the prior application which are attached are as follows:

[x] 24 pages of specification, which includes 10 pages of claims

[x] 1 page of abstract

[x] 12 sheets of drawing

[x] 3 pages of declaration and power of attorney

## 2. Amendments

[x] Cancel in this application original claims 1-37 of the prior application before calculating the filing fee. (At least one original independent claim is retained for filing purposes.)

[x] A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered **original** claim in the prior application.)

## 3. Petition for Suspension of Prosecution for the Time Necessary to File an Amendment

[ ] There is provided herein a Petition To Suspend Prosecution For The Time Necessary to File An Amendment (New Application Filed Concurrently).

## 4. Information Disclosure Statement

[x] An information disclosure statement is submitted herewith.

## 5. Fee Calculation (37 CFR 1.16)

CLAIMS FOR FEE CALCULATION			
Number filed	Number	Extra Rate	Basic Filing Fee = \$710.00
Total Claims (37 C.F.R. 1.16(c)) 21	21-20=1	x \$ 18.00	\$18.00
Independent Claims (37 C.F.R. 1.16(b)) 7	7-3=4	x \$ 80.00	\$320.00
Multiple Dependent Claims(s), if any (37 C.F.R. 1.16(d))		\$260.00	\$ 0

Filing Fee Calculation

\$ 1048.00

## 6. Small Entity Status

☐ A statement that this filing is by a small entity:

☐ is attached

☒ A Small Entity Statement was filed in the parent application Serial No. 09/428,726 filed on October 28, 1999 and this status is still proper and its benefit under 37 CFR 1.28(a) is hereby claimed.

Filing fee calculation (50% of above) \$524.00

## 7. Drawings

☐ Transfer the drawings from the prior application to this application and, subject to item 17 below, abandon said prior application as of the filing date accorded this application. A duplicate copy of this request is enclosed for filing in the prior application file.

☐ Transfer the following sheet(s) of drawing from the prior application to this application \_\_\_\_\_.

☐ A **copy** of the amendment canceling these sheets of drawing in the prior application is attached.

☒ New drawings are enclosed

☒ formal

☐ informal

## 8. Priority -- 35 U.S.C. 119

☐ Priority of application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_ in \_\_\_\_\_ is claimed under 35 U.S.C. 119.

☐ The certified copy has been filed in prior U.S. application Serial No. 0\_\_ / \_\_\_\_\_ on \_\_\_\_\_.

☐ The certified copy will follow.

## 9. Relate Back -- 35 U.S.C. 120

☒ Amend the specification by inserting before the first line in the specification: "This is a

☐ continuation

☒ divisional

☐ continuation-in-part

of copending application(s)

☒ Serial No. 09/428,726 filed on October 28, 1999."

## 10. Inventorship Statement

- (a) With respect to the prior copending U.S. application from which this application claims benefit under 35 USC 120, the inventor(s) in this application is (are):

☒ the same

☐ less than those named in the prior application and it is requested that the following inventor(s) identified above for the prior application be deleted:

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(Type name(s) of inventor(s) to be deleted)

- (b) The inventorship for all the claims in this application are

☒ the same

☐ not the same, and an explanation, including the ownership of the various claims at the time the last claimed invention was made, is submitted.

## 11. Assignment

- ☒ The prior application is assigned of record to Conicity Technologies, LLC.

☒ The prior assignment was recorded at the PTO on October 28, 1999, Reel 10355, Frame 0470 and included assignment of all continuation and divisional applications in and to the invention.

☐ An assignment of the invention to \_\_\_\_\_ is attached. A separate "ASSIGNMENT COVER LETTER ACCOMPANYING NEW PATENT APPLICATION" is also attached.

## 12. Fee Payment Being Made At this Time

☐ Not Enclosed

☐ No filing fee is submitted.

☒ Enclosed

☒ basic filing fee \$524.00

☐ recording assignment  
(\$40.00; 37 CFR 1.21(h)) \$\_\_\_\_\_

☐ processing and retention fee  
(\$130.00; 37 CFR 1.53(b) and 1.21(l)) \$\_\_\_\_\_

**Total fees enclosed** **\$524.00**

## 13. Method of Payment of Fees

☒ enclosed is a check in the amount of \$524.00.

☐ charge Account No. \_\_\_\_\_ in the amount of . \_\_\_\_\_. A duplicate of this request is attached.

#### 14. Authorization To Charge Additional Fees

- ☒ The Director is hereby authorized to charge the following additional fees which may be required by this paper and during the entire pendency of the application to Account No. 50-0573.
- ☒ 37 CFR 1.16(a), (f) or (g) (filing fees)
- ☒ 37 CFR 1.16(b), (c) and (d) (presentation of extra claims)
- ☐ 37 CFR 1.17 (application processing fees)
- ☐ 37 CFR 1.18 (issue fee at or before mailing Notice of Allowance, pursuant to 37 CFR 1.311(b)).
- ☒ Please credit any overpayment with respect to the application to Deposit No. 50-0573.

#### 15. Power of Attorney

The power of attorney in the prior application is to  
Arthur H. Seidel, Reg. No. 15,979; Gregory J. Lavorgna, Reg. No. 30,469; Daniel A. Monaco, Reg. No. 30,480; Thomas J. Durling, Reg. No. 31,349; John J. Marshall, Reg. No. 29,671; Joseph R. Delmaster, Jr., Reg. No. 38123; Robert E. Cannuscio, Reg. No. 36,469.

- a. ☒ The power appears in the original papers in the prior application.
- b. ☐ The power does not appear in the original papers, but was filed on \_\_\_\_\_.
- c. ☐ A new power has been executed and is attached.

Address all future communications to:

Gregory J. Lavorgna  
Drinker Biddle & Reath, LLP  
One Logan Square  
18<sup>th</sup> and Cherry Sts.  
Philadelphia, PA 19103-6996  
Tel.: (215) 988-3309

#### 16. Maintenance of Copendency of Prior Application

- ☐ A petition, fee and response has been filed to extend the term in the pending prior application until \_\_\_\_\_.
- ☐ A copy of the petition for extension of time in the prior application is attached.

#### 17. Conditional Petition for Extension of Time in Prior Application

- ☐ a conditional petition for extension of time is being filed in the pending parent application.
- ☐ A copy of the conditional petition for extension of time in the prior application is attached.

#### 18. Abandonment of Prior Application (if applicable)

- ☐ Please abandon the prior application at a time while the prior application is pending or when the petition for extension of time or to revive in that application is granted and when this application is granted a filing date so as to make this application copending with said prior application.

## 19. Notification in Parent Application of the Filing of this Continuation Application

- [x] A notification of the filing of this continuing application is being filed in the parent application from which this application claims priority under 35 USC §120.

Date:

06 April 2001

DRINKER BIDDLE & REATH, LLP

  
GREGORY J. LAVORRNA

Reg. No. 30,469

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Attorney of record